

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Pamela J. Oest
424 Summers Place
Portsmouth, VA 23702

Plaintiff

v.

Jonathan G. Newell
109 Market Street, Room 208
Denton, MD 21629

Defendant

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Case No.

COMPLAINT

Pamela J. Oest, a resident of Portsmouth, Virginia, by her attorney, Michael L. Sandul, sues the Defendant, Jonathan Newell, a resident of Maryland, and states:

I. Jurisdiction and Venue

1. Jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332(a)(1) as the Plaintiff is a resident of the State of Virginia and the Defendant is a resident of the State of Maryland and the amount in controversy is in excess of Seventy-Five Thousand Dollars (\$75,000).

2. Venue is proper pursuant to 28 U.S.C. § 1391(a)(2) because the automobile accident giving rise to this cause of action arose in the State of Maryland.

II. Parties

3. The Plaintiff, Pamela J. Oest, is an adult citizen of the State of Virginia residing in Portsmouth, Virginia.

4. The Defendant, Jonathan Newell, is a resident of the State of Maryland residing in Caroline County.

5. The events giving rise to this cause of action took place in Caroline County, Maryland.

6. On or about December 26, 2008, the Plaintiff was a passenger in an automobile operated by Hope Thompson, which was stopped to make a right turn into the driveway for 10855 Central Avenue, Ridgely, Caroline County, Maryland 21660.

7. At the same time and place, the Defendant was operating a motor vehicle on Central Avenue, Ridgely, Maryland, behind that in which the Plaintiff was a passenger.

8. Defendant, Jonathan Newell, owed a duty of due care to Plaintiff, Pamela Oest, to operate his vehicle in a proper and careful manner; to pay proper time and attention to his operation of the vehicle; to keep a proper lookout for other vehicles on the road; to drive at an appropriate reduced speed for the conditions then and there existing; to take appropriate actions to avoid a collision when he knew or should have known one was imminent; and in all other ways to operate his vehicle in a prudent, safe and reasonable manner.

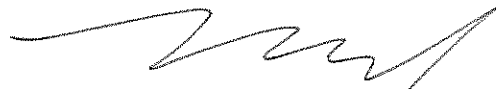
9. Defendant, Jonathan Newell, breached the duty set forth above by failing to operate his vehicle in a proper and careful manner; failing to pay proper time and attention to his operation of the vehicle; failing to keep a proper lookout for other vehicles on the road; failing to drive at an appropriate reduced speed for the conditions then and there existing; failing to take appropriate actions to avoid a collision when he knew or should have known one was imminent; and failing in all other ways to operate the vehicle in a prudent, safe and reasonable manner.

10. As a direct and proximate result of the of the negligence of Defendant, Jonathan Newell, Defendant drove his vehicle into the rear of the vehicle in which the Plaintiff was a passenger.

11. As a further direct and proximate result of the negligence of Defendant Jonathan Newell, Plaintiff Pamela J. Oest suffered bodily injuries.

12. As a further direct and proximate result of the negligence of Defendant Jonathan Newell, Plaintiff Pamela J. Oest suffered and will continue to suffer pain, anguish, and mental suffering, has incurred and will continue to incur medical and chiropractic expenses, lost income and lost earning capacity.

WHEREFORE, for the foregoing reasons, the Plaintiff, Pamela J. Oest, requests judgment against Defendant, Jonathan Newell, in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) plus judgment and costs in this action.



Michael L. Sandul 03663
1130 Annapolis Road, Suite 101
Odenton, MD 21113
(410) 551-9323
Fax: (410) 551-1566
mike@sinderlaw.com
Attorney for Plaintiff

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ELECTION FOR JURY TRIAL

Comes now the Plaintiff, Pamela J. Oest, through undersigned counsel, and elects a jury trial in the above matter.



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Fax: (410) 551-1566
mike@sinderlaw.com
Attorney for Plaintiff